

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 (619) 767-2370



Wed 3a

Filed: January 11, 2006
 49th Day: March 1, 2006
 180th Day: July 10, 2006
 Staff: Diana Lilly-SD
 Staff Report: April 13, 2006
 Hearing Date: May 10-12, 2006

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-06-002

Applicant: Martin and Mary Lighterink

Description: Construction of a 100 sq.ft. first story addition, 1,514 sq.ft. new second story, and 396 basement to existing 1-story 1,897 sq.ft. single-family residence on a 9,471 sq.ft. lot.

Lot Area	9,471 sq. ft.
Building Coverage	2,815 sq. ft.
Parking Spaces	3
Zoning	LMR – Low Medium Density 4 du/ac
Plan Designation	Low Medium Density Residential
Ht abv fin grade	25 feet

Site: 1032 Santa Queta, Solana Beach, San Diego County. APN 263-540-13.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; City of Solana Beach DRP/SDP 17-05-33.

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Drainage Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a drainage and runoff control plan in substantial conformance to submitted plans by edingerArchitects, dated 01/24/06, documenting that the runoff from the roof, driveway and other impervious surfaces shall be collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation in a non-erosive manner, prior to being collected, and conveyed off-site to storm drain(s) within Santa Queta.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Exterior Treatment. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed residential addition. This document shall comply with the following requirements:

- a. The color of the proposed addition and roof permitted herein shall be restricted to colors compatible with the surrounding environment (earth tones) including shades of green, brown, and gray, with no white or light shades and no bright tones except as minor accents.
- b. All proposed external windows on the second floor of the north side of the residence visible from Interstate 5 shall be comprised of non-glare glass.

The permittee shall undertake the development in accordance with the approved color board. Any proposed changes to the approved color board shall be reported to the Executive Director. No changes to the color board shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the “Standard and Special Conditions”); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the applicant’s entire parcel or parcels. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed is the construction of a 100 sq.ft. first story addition, 1,514 sq.ft. new second story, and 396 basement to existing 1-story 1,897 sq.ft. single-family residence on a 9,471 sq.ft. lot. The subject site is on the north side of Santa Queta in the City of Solana Beach, adjoining the open space reserve on the south side of San Elijo Lagoon. The proposed residential addition requires a coastal development permit because the site is located between San Elijo Lagoon and the first public roadway, and involves an addition of more than 10% of the internal floor area of the existing residence, and an increase in height of more than 10%.

The proposed addition will result in a larger structure than the existing residence, however, no portion of the structure will be any closer to the open space reserve than the existing structure, and no new requirements for removal of vegetation in the reserve for fire safety will be required. Special Condition #1 requires that drainage from the addition be directed into landscaped areas to filter pollutants. No impacts to the sensitive resources of the lagoon will result from the addition.

The subject site is located in the first row of houses adjacent to the lagoon, and thus, is in a highly visible location from southbound Interstate 5 and the lagoon trails. Adding a new second story to the existing one-story house will increase the visibility of the structure. Both coloring and landscaping can reduce the visibility of development adjacent to scenic areas. In this particular case, placing additional vegetation on the lagoon-side of the structure, particularly native vegetation that would be appropriate in a lagoon environment, could potentially present a fire hazard. In addition, both the City of Solana Beach and the homeowners association governing the subject site and surrounding properties on the hillside have strict limits on permitted vegetation in order to reduce private view blockage. As such, open yards with low-growing shrubs are the

predominant visual setting of this neighborhood. No new landscaping is being proposed. In this particular case, restricting the color of the addition will adequately reduce the visual impact of the development. Therefore, Special Condition #2 restricts the color of the proposed addition and roof to earth tones compatible with the surrounding environment.

The project site is located within an area that was previously covered by the County of San Diego's Local Coastal Program (LCP). However, the County LCP was never effectively certified and is used as guidance with Chapter 3 Policies of the Coastal Act used as the standard of review.

B. Biological Resources. Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

The proposed development will not have an adverse impact on any sensitive habitat, and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be provided. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character /Visual Quality. The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

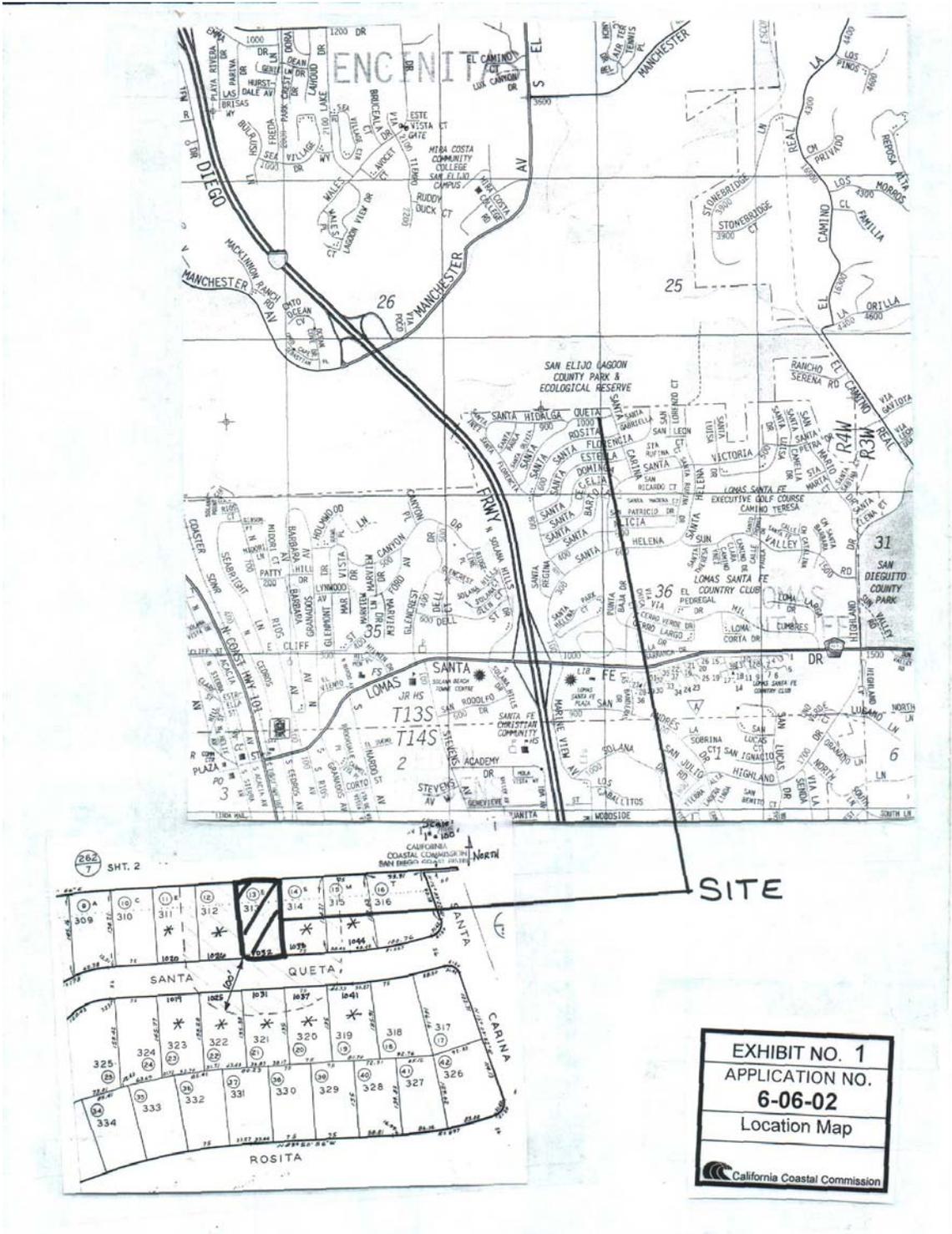
D. Public Access. The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. The proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

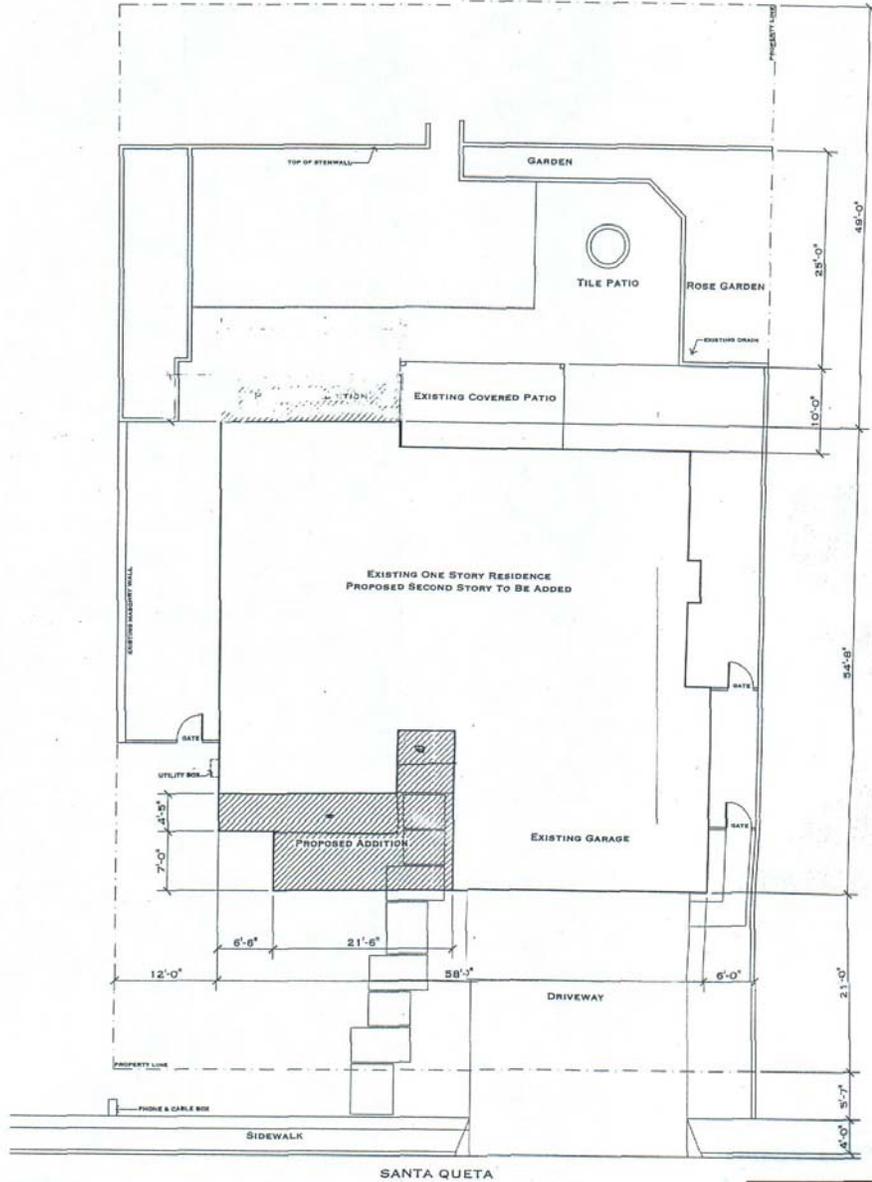
E. Local Coastal Program. The City of Solana Beach does not have a certified LCP at this time. Thus, the Coastal Commission retains permit jurisdiction in this community and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

F. California Environmental Quality Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.





SANTA QUETA

SITE PLAN
SCALE: 1/8" = 1'-0"



EXHIBIT NO. 2
APPLICATION NO.
6-06-02
Site Plan
 California Coastal Commission